



03-01-02

1655

Express Mail No.: EL 452 482 560 US

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Sagner *et al.*

Application No.: 09/823,712

Group Art Unit: 1655

Filed: March 30, 2001

Examiner: Chakrabarti, Arun K.

For: METHOD FOR DETERMINING
THE EFFICIENCY OF NUCLEIC
ACID AMPLIFICATIONS

Attorney Docket No.: 5443

RECEIVED

MAR 05 2002

FEE TRANSMITTAL SHEET

Assistant Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be \$0.

The claim amendment fee has been estimated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		SMALL ENTITY		OTHER THAN A SMALL ENTITY		
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL	17	MINUS	20	=	0	× 9	\$		× 18	\$ 0.00
INDEP.	3	MINUS	3	=	0	× 42	\$		× 84	\$ 0.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						140	\$		280	\$
						TOTAL	\$	OR	TOTAL	\$ 0.00

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.
A copy of this sheet is enclosed.

Respectfully submitted,

Date: February 26 2002

42,983

Rahul Pathak

(Reg. No.)

For: Jennifer Gordon (Reg. No. 30,753)
PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

Enclosure



Express Mail No.: EL 452 482 560 US

8/1A
CP
5/16/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Sagner, G. *et al.*

Serial No.: 09/823,712

Art Unit: 1655

Filed: March 30, 2001

Examiner: Chakrabarti, Arun K.

For: METHOD FOR DETERMINING THE
EFFICIENCY OF NUCLEIC ACID
AMPLIFICATIONS

Attorney Docket No.: 5443

AMENDMENT AND RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED
MAR 05 2002
TECH CENTER 1600/2900

Sir:

In response to the outstanding Office Action dated November 26, 2001, please enter the amendments below and consider the remarks which follow in connection with the above-identified application. Filed herewith are Exhibit A ("Marked-Up Version of Amended Claims") and Exhibit B ("Claims Pending After Entry of Instant Amendment").

Applicants are submitting this response prior to the shortened statutory period set to expire on February 26, 2002. Accordingly, this reply is being timely filed.

IN THE CLAIMS

Please add new claims 15-17:

15. (New) The method of claim 6, wherein said polynomial fit is of the 3rd, 4th, 5th, 6th or 7th degree.
16. (New) The method of claim 11, wherein said polynomial fit is of the 3rd, 4th, 5th, 6th or 7th degree.
17. (New) The method of claim 14, wherein said DNA-binding dye is Sybr[®] Green 1.

Please amend claims 1-3, 5, 6 and 8-14 to read as follows: